

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

GOLDEN BETHUNE-HILL, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	
)	
VIRGINIA STATE BOARD OF)	Civil Action No. 3:14-cv-852-REP-AWA-
ELECTIONS, <i>et al.</i> ,)	BMK
)	
Defendants.)	
)	
)	
)	

[PROPOSED] JOINT DISCOVERY PLAN

Pursuant to the Court’s Order directing the parties to submit a “joint proposal for scheduling discovery respecting the additional evidence,” Dkt. No. 160 ¶ 6, Plaintiffs, Defendants, and Defendant-Intervenors (collectively, the “Parties,” and individually, a “Party”) propose this Joint Discovery Plan. The Court’s Order dated June 2, 2017 (Dkt. No. 160) and the Federal Rules of Civil Procedure govern all aspects of discovery in this matter not otherwise altered by this Plan.

A. Expert Discovery

Plaintiffs must serve expert report(s) no later than **August 2, 2017**, Defendants and Defendant-Intervenors must serve their expert report(s) no later than **August 30, 2017**, and Plaintiffs may serve any expert reply report(s) no later than **September 13, 2017**.

B. Expert Data

The underlying data used for any analysis relied upon in the expert’s report shall be served no later than the date on which the related report is due. This data shall be produced

in an electronic format that is capable of being used as input to a variety of standardized software packages without conversion. Such formats may include: a) CSV (comma/character separated values); b) SDF (system default format, i.e., flat ASCII fixed column); and c) DBF (database file).

Each data file must contain a) a header record with field names or b) a data dictionary, internal or external, that defines the name, type, and length of each data field in the record.

Each data file must also be accompanied by an identification of the sources and vintage of the information contained therein as well as a count of records. Data files must be in ASCII format with carriage return/line feeds but may be compressed via a standard compression utility.

C. Written Discovery

Written discovery shall be served no later than **July 21, 2017**. Objections shall be served within ten days. Responses shall be served within seventeen days. Privilege logs, if necessary, shall be submitted no later than **August 11, 2017**. When necessary, the Parties will work in good faith to agree to reasonable extensions of these deadlines.

D. Discovery Completion Date

The discovery cutoff shall be **September 15, 2017**.

E. Discovery Designations and Summaries

1. No later than **September 19, 2017**, all Parties shall serve on all other counsel a list of all discovery materials, specifying the appropriate portions thereof, that the Party intends to offer at the hearing.

2. No later than **September 26, 2017**, all Parties shall serve on all counsel a list of all “fairness” or rebuttal designations and amended summaries, as appropriate.
3. No later than **September 29, 2017**, any objection to the introduction of any designation or parts thereof or any summary shall be filed by each of the Parties with the Clerk.
4. No later than **October 2, 2017**, counsel shall confer to resolve objections to discovery designations. Any objections not resolved shall be determined at the Final Pretrial Conference.
5. No later than **October 5, 2017**, the Party offering the designated discovery shall provide opposing counsel, the Clerk, and the Court with a conformed set of all designated discovery.

F. Witness and Exhibit Lists

1. Plaintiff shall file a list of all witnesses intended to be called at the hearing, as well as a list of proposed exhibits, no later than **September 21, 2017**.
2. Defendants and Defendant-Intervenors shall file a list of all witnesses intended to be called at the hearing, as well as a list of proposed exhibits, no later than **September 25, 2017**.
3. Any objections to exhibits shall be filed with the Clerk no later than **September 28, 2017**.
4. Each Party shall deliver to the Clerk four sets of pre-marked, indexed exhibits on **October 9, 2017**.

H. Pre-Hearing Briefs

Each party shall file a pre-hearing brief with the Clerk no later than September 26, 2017.

I. Final Pretrial Conference

A Final Pretrial Conference, if necessary, and as indicated in this Court's Order dated June 2, 2017 (Dkt. No. 160), shall be held at 9:30 a.m. on September 29, 2017 at the Albert V. Bryan United States Courthouse in Alexandria, Virginia.

J. Hearing Date

The hearing is scheduled to commence on **October 10, 11, and 12, 2017** at 10:00 a.m. at a location to be determined.

K. Post-Hearing Briefs

At the Court's discretion and direction, the Parties will file any requested briefs following the hearing.

Dated: July 11, 2017

Respectfully submitted,

By /s/ Katherine L. McKnight

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